IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.22457 of 2008
BAMBAM YADAV
Versus
STATE OF BIHAR

4/ 19.08.2008 Supplementary affidavit has been filed.

Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

Altogether 10 persons including the petitioner are named accused of a case which has been registered under Section 302 and allied Sections of Indian Penal Code and Section 27 of the Arms Act.

Allegation is that all the 10 accused persons including the petitioner fired indiscriminately. The informant has described that while his father was lying then in that position he was fired upon by three persons namely Jeni Yadav, Beti Yadav and Sujit Yadav. The motive assigned is that prior to the present occurrence the accused persons were convicted in a case registered at the behest of the informant.

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Submission is that earlier a case was registered vide Muffasil P.S. Case No. 329/1996 under Sections 366 (A), 366 and 120(B) of the Indian Penal Code in that case only co-accused Sujit Kumar was made accused he has faced trial and he was committed. The petitioner was not connected with the trial. The doctor conducted the post-mortem examination and he has found three entry and exit wound which are attributed to Jeni Yadav, Beti Yadav and Sujit Yadav.

Considering the facts and circumstances of the case, the

petitioners Bambam Yadav is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 245/2007.

kksinha/ **(Shyam Kishore Sharma, J.)**

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